

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANDRE BISASOR,)
Plaintiff,)
Vs.) DOCKET NO. 1:23-cv-11313-WGY
CRAIG S. DONAIS, RUSSELL F.)
HILLIARD, DONAIS LAW OFFICES)
PLLC, UPTON AND HATFIELD LLP,)
and MARY K. DONAIS,)
Defendants.)

)

**DEFENDANTS CRAIG S. DONAIS, MARY K. DONAIS AND DONAIS LAW OFFICES
PLLC'S OPPOSITION TO PLAINTIFF'S [EMERGENCY] MOTION TO EXTEND TIME
TO FILE OPPOSITIONS TO MOTION TO DISMISS**

Defendants Craig S. Donais, Mary K. Donais, and Donais Law Offices PLLC (jointly the “Donais Defendants”) hereby oppose Plaintiff Andre Bisasor’s (“Plaintiff”) [Emergency] Motion to Extend Time to File Oppositions to Motion to Dismiss (“Plaintiff’s Motion”). The Donais Defendants request that this Honorable Court deny the Plaintiff’s Motion as there is no good reason to grant Plaintiff a further extension.

The Court already has granted Plaintiff an extension of time to file his oppositions after Plaintiff filed his first Motion for Extension of Time. Docket Nos. 39 and 40. The Plaintiff requested, and was granted, an extension of time to July 17, 2023 to file his oppositions, which is an additional twenty days beyond the 14-day response period provided by the rules.

Plaintiff did not confer with counsel for the Donais Defendants prior to filing his Motion as required by Fed. R Civ. P. 7.1(a)(2). Plaintiff, therefore, never provided counsel for the Donais Defendants with any basis for the filing of his Motion in advance of such filing.

As grounds for his Motion, Plaintiff vaguely references “a combination of personal matters including medical, and other matters pertaining to other court cases that I am involved that have obstructed my time and that have hampered me.” Plaintiff’s being “hampered” by other court cases that he is involved in is insufficient grounds to warrant a further extension in the present case.

A further continuance of Plaintiff’s opposing Defendants’ Motions to Dismiss would unfairly prejudice the Donais Defendants as they may seek leave to file reply briefs to Plaintiff’s oppositions in advance of the court hearing on Defendants’ Motions to Dismiss scheduled for July 27, 2023. The Donais Defendants would be prejudiced as they would have less than ten (10) days to review Plaintiff’s filings before the hearing. In the interests of equity, judicial efficiency, and fairness to all parties, the court should deny Plaintiff’s Motion.

Plaintiff’s alternative request is equally prejudicial to the Donais Defendants. The Donais Defendants have complied with the Federal Rules of Civil Procedure in filing their Motion to Dismiss. Plaintiff’s proposition that he should be allowed two oppositions, contrary to the Federal Rules of Civil Procedure, would unfairly prejudice the Donais Defendants and not be in the interest of judicial efficiency. Plaintiff’s request is not reasonable or in compliance with the Federal Rules of Civil Procedure, and the Court should deny Plaintiff’s Motion.

For all the foregoing reasons, Craig S. Donais, Mary K. Donais and Donais Law Offices PLLC, respectfully request that this Court deny the Plaintiff’s [Emergency] Motion to Extend Time to File Oppositions to Motion to Dismiss.

Respectfully submitted,

FOR THE DEFENDANTS,
CRAIG S. DONAIS, MARY K. DONAIS
and DONAIS LAW OFFICES PLLC
By Their Attorneys,

/s/ Edwin F. Landers, Jr.

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CERTIFICATE OF SERVICE

I, Ian Donovan, attorney for the Defendants, Craig S. Donais, Mary K. Donais, and Donais Law Offices PLLC, hereby certify that I have this day served the foregoing to all counsel of record in this action by serving same via First Class U.S. mail, postage prepaid and/or electronic mail to:

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Date: July 14, 2023

/s/ Ian Donovan

Ian Donovan